

## **REMARKS**

Claims 1-34 remain in the application for further prosecution. Claims 1, 13, 15, 23, 24, and 32-34 have been amended.

Claims 9-14, 23, and 32 have been allowed. Claims 2, 4-8, 16-22, and 25-31 have been objected to as being dependent upon a rejected base claim. Claims 1, 3, 15, 24, 33, and 34 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Number 3,997,746 ("Harper").

### **Allowable Subject Matter**

Claims 9-14, 23, and 32 have been allowed, and claims 2, 4-8, 16-22 and 25-31 would be allowable if rewritten in independent from including all of the limitations of the base claim.

### **Claims rejected under 35 U.S.C. § 102(b)**

Claims 1, 15, 24, 33, and 34 are the only rejected independent claims. In general, the Examiner has alleged that Harper discloses in Figure 6 "an improved filter assembly for a circuit breaker." Office Action at p. 2. Specifically, regarding claim 1, the Examiner alleges that Harper discloses

a generally rectilinear filter housing having at least two filter mounting zones (figure 6, unit 90, 98, 106) for receiving at least two filter assemblies, so as to define, in the aggregate, a filter assembly (figure 6, unit 90, 98, 106); and at least two filter assemblies configured for interfitting with said filter mounting zones of said filter housing, each said filter assembly comprising a generally rectilinear filter body having a given peripheral configuration and a filter gasket (figure 8, unit 72) configured for interfitting about a periphery of said filter body for sealingly engaging said filter body relative to said filter housing in response to forces encountered by said filter assembly both upon assembly and in operation (figure 6, unit 54, 94, 90, 98, 106).

*Id.* Similar arguments are reiterated regarding the other independent claims.

All the independent claims, as amended, are limited to the following claim elements:

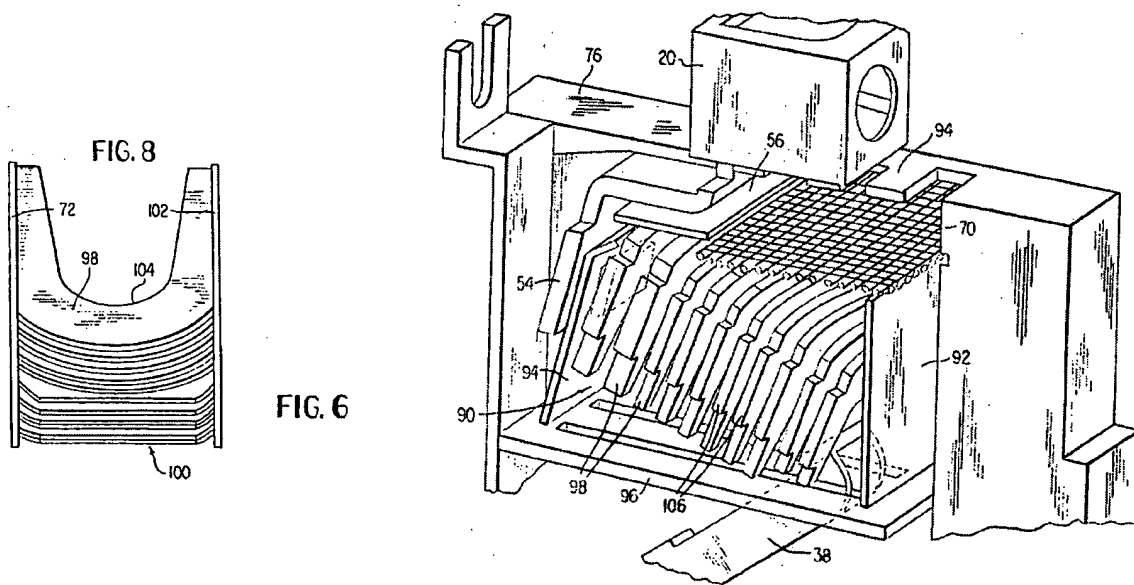
- a) a filter housing;
- b) at least two filter mounting zones;

- c) at least two filter assemblies; and
- d) a filter body that is sealingly engaged to the filter housing.

In addition, claims 1, 33, and 34 are also limited to the following claim elements:

- e) a filter body; and
- f) a filter gasket.

An inspection of Harper reveals that Harper does not disclose any of the above listed elements. To support the allegations that Harper anticipates the rejected claims, the Examiner refers to Fig. 6 (shown below), which shows a terminal 54, an arc chamber 90, an arc plate 94, and a plurality of arc suppressors 98 (which have angular shoulders 106), and to Fig. 8 (shown below), which shows a baffle plate 72. However, none of the components listed by the Examiner have anything to do with the rejected claim elements.



For example, the office action alleges that “unit 72,” shown in Fig. 8 (above), is a filter gasket “configured for interfitting about a periphery of said filter body for sealingly engaging said filter body.” Office Action at p. 2. “Unit 72” is a baffle plate that has nothing to do with a “filter body” or with “sealingly engaging said filter body.” It is difficult to understand what the baffle plate 72 seals. Similarly, the arc chamber 90, the terminal 54, the arc plate 94, the arc suppressors 98, and the baffle plate 72 are not part of any filter assembly. Rather, all the components relied on by the Examiner are generally

analogous to an arc stack assembly, such as the arc stack assembly 70 shown in Fig. 6 of the present invention.

In Fig. 6 (shown above), the only component that is even remotely close to a filter assembly is a screen 70. In fact, Harper notes that "the screen provides some significant amount of filtering action, since it has been noted that the screen after substantial usage appears to collect silver and perhaps some other portions of solidified metal from the circuit breaker contacts." Column 7, lines 32-36 (emphasis added). However, the screen 70 seemingly lacks every single claim element listed above: a filter housing, at least two filter mounting zones, at least two filter assemblies, a filter body, a filter body that is sealingly engaged to the filter housing, and a filter gasket.

Thus, the Applicants respectfully submit that claims 1, 15, 24, 33, and 34, and all claims dependent thereon, are allowable for at least the above-stated applicable reasons.

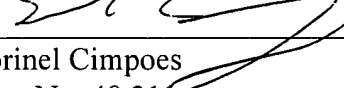
#### **Conclusion**

It is the Applicants' belief that all the pending claims are now in condition for allowance, and thus reconsideration of this application is respectfully requested. If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at the number indicated.

A check in the amount of \$110 is enclosed, which covers the fee for the petition for extension of time; however, should said check be missing or in an incorrect amount, the Commissioner is authorized to charge additional fees (except for payment of the issue fee) from Jenkins & Gilchrist, P.C. Deposit Account No. 10-0447, Order No. 47181-00248.

Respectfully submitted,

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